

Representative Sylvia S. Andersen proposes the following substitute bill:

SAFE DRINKING WATER AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sylvia S. Andersen

Senate Sponsor: D. Chris Buttar

LONG TITLE

General Description:

This bill modifies provisions related to the addition of fluorine or any of its derivatives or compounds to water supplies.

Highlighted Provisions:

This bill:

► requires the legislative body, special district board, or board of directors of a water system consisting of less than 5,000 connections to give approval before fluorine or any of its derivatives or compounds can be added to the water system.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-4-111, as last amended by Chapter 185, Laws of Utah 2003

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **19-4-111** is amended to read:



26 **19-4-111. Fluorine added to or removed from water -- Election required.**

27 (1) (a) Except as provided in Subsection 19-4-104(1)(a)(i), public water supplies,
28 whether state, county, municipal, or district, may not have fluorine or any of its derivatives or
29 compounds added to or removed from them without the approval of a majority of voters in an
30 election in the area affected.

31 (b) An election shall be held:

32 (i) upon the filing of an initiative petition requesting the action in accordance with state
33 law governing initiative petitions;

34 (ii) in the case of a municipal, special district, or county water system which is
35 functionally separate from any other water system, upon the passage of a resolution by the
36 legislative body or special district board representing the affected voters, submitting the
37 question to the affected voters at a municipal general election; or

38 (iii) in a county of the first or second class, upon the passage of a resolution by the
39 county legislative body to place an opinion question relating to all public water systems within
40 the county, except as provided in Subsection (2), on the ballot at a general election.

41 (2) If a majority of voters on an opinion question under Subsection (1)(b)(iii) approve
42 the addition of fluorine to or the removal of fluorine from the public water supplies within the
43 county, the local health departments shall require the addition of fluorine to or the removal of
44 fluorine from all public water supplies within that county other than those systems:

45 (a) that are functionally separate from any other public water systems in that county;
46 and

47 (b) where a majority of the voters served by the public water system voted against the
48 addition or removal of fluorine on the opinion question under Subsection (1)(b)(iii).

49 (3) Nothing contained in this section prohibits the addition of chlorine or other water
50 purifying agents.

51 (4) Any political subdivision which, prior to November 2, 1976, decided to and was
52 adding fluorine or any of its derivatives or compounds to the drinking water is considered to
53 have complied with Subsection (1).

54 (5) In an election held pursuant to Subsections (1)(b)(i), (ii), or (iii), where a majority
55 of the voters approve the addition to or removal of fluorine from the public water supplies, no
56 election to consider removing fluorine from or adding fluorine to the public water supplies

57 shall be held for a period of four years from the date of approval by the majority of voters
58 beginning with elections held in November 2000.

59 (6) For purposes of this section, "removal" means ceasing to add fluorine to a public
60 water supply, the addition having been previously approved by the voters of a political
61 subdivision.

62 (7) In addition to the approval required by Subsection (1), a water system that has less
63 than 5,000 connections must have express approval of the water system's legislative body,
64 special district board, or board of directors to add fluorine or any of its derivatives or
65 compounds to the water system.

H.B. 140 1st Sub. (Buff) - Safe Drinking Water Amendments

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. The requirements of this bill are not expected to have a significant fiscal impact on local governments, special district boards, or water system boards.
